

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF MISSISSIPPI**

**IN RE: Jerry Wayne McLarty
Nancy Sue McLarty, Debtors**

**Case No. 25-11845-SDM
CHAPTER 12**

MOTION FOR AUTHORITY TO USE CASH COLLATERAL

COME NOW the Debtors, Jerry Wayne McLarty and Nancy Sue McLarty (“Debtors”), by and through counsel, and pursuant to 11 U.S.C. § 363(c) and Rule 4001 of the Federal Rules of Bankruptcy Procedure, file this Motion for Authority to Use Cash Collateral, and in support thereof state the following:

1. This Court has jurisdiction over this matter pursuant to 28 U.S.C. §§ 157 and 1334. This matter is a core proceeding under 28 U.S.C. § 157(b). Venue is proper pursuant to 28 U.S.C. § 1409.
2. The Debtors filed a voluntary petition for relief under Chapter 12 of Title 11 of the United States Code on June 3, 2025. The Debtors are engaged in the business of farming.
3. Simplot (a/k/a JSI Farmline ET, LLC and Pinnacle Agriculture Distribution, Inc.), located at P.O. Box 27, Boise, ID 83707-0027, and other associated addresses, holds a security interest in crops, equipment, inventory, accounts, and proceeds, which includes cash collateral as defined under 11 U.S.C. § 363(a).
4. The Debtors require use of cash collateral in order to continue operating their farm and to pay ordinary and necessary business and personal expenses. These expenses include insurance, fuel, product supplies, wages, repairs, utilities, and personal living expenses. Continued operations are necessary to preserve the value of the estate and maximize recovery for creditors

5. A 30-day budget is attached hereto as Exhibit A, reflecting projected farm and personal expenses in the total amount of \$23,185.44 for farm operations and \$5,913.68 for personal expenses.
6. The Debtors propose to provide adequate protection to Simplot by preserving and maintaining the value of the collateral through continued operations, and by accounting for and segregating proceeds of crops and farm revenue. The Debtors will maintain detailed records of income and expenses and will provide monthly operating reports to the Chapter 12 Trustee and Simplot upon request.
7. The Debtors respectfully request authority to use cash collateral in accordance with the attached budget, pending a final hearing or agreement with Simplot. The Debtors also request that the Court schedule an expedited preliminary hearing pursuant to Rule 4001(b).

WHEREFORE, PREMISES CONSIDERED, the Debtors pray that this Court enter an order authorizing the use of cash collateral as requested herein, and for such other and further relief as is just and proper.

Respectfully submitted,

Jerry Wayne McLarty and Nancy Sue McLarty

BY: /s/ Thomas C. Rollins, Jr.

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